

REMARKS

The Final Rejection of August 19, 2010 has been carefully studied. In response thereto, this amendment accompanies a Request for Continued Examination (RCE).

Before discussing the references, it is seen that the claims are amended as follows:

Claim 1 is amended by using the term "consisting of" in defining the adsorbent as well as the method steps. This claim is very restrictive omitting other adsorbents, but in fact it points out the aspect of Applicants' invention wherein the at least two of the impurities can be adsorbed at the same time by the use of a crystal aggregate based on zeolite LSX. Accordingly, such amendments are to replace the objected to expression "and no other adsorbent". It is respectfully submitted, moreover, that Applicants' specification, particularly page 5, lines 6-12 demonstrates that an advantage of Applicants' invention is the discovery that no other adsorbents are required in order to remove the impurities to the desired level.

New independent claim 21, on the other hand is believed to be squarely based on page 5, lines 6-12 of the specification as would be understood by one of ordinary skill in the art, without the use of the restrictive term "consisting of".

It is further seen that claims 3-6 are now cancelled, with Applicants reserving the right to file one or more continuing applications directed thereto.

Claim 16 is amended to point out that the size of less than 4 microns is not of a crystal, but rather the crystal aggregates which are employed in the present invention. Such aggregates can be prepared in many different sizes, as seen from the discussion on page 16 (Example 4 and Table 4), the specification noting that the smaller the size, the greater the improvement.

Added claim 18 is based on page 11, line 27 of the application which exemplifies the efficiency of the adsorbent in reducing the content of the impurities to about 1-5% of the original concentrations in the gas. Claims 19 and 20 mirror claims 7 and 8 but are dependent on claim 18. Thus, claims 18-20 clearly point out the fact that though the prior art is indeed very close, it would not have realistically taught the presently claimed invention to one of ordinary skill in the art at the time the present application was filed, (based on priority French application filed December 22, 2003). Note that the present application and the primary reference U.S.

Publication 2003/0126989 of July 10, 2003 are commonly owned and that the present invention is indeed an improvement over the Assignees U.S. publication. In the U.S. publication, the objective is to adsorb carbon dioxide and mention of other gases is incidental. Furthermore, there is no suggestion that the adsorbents mentioned therein could, in fact, be extremely effective for the removal of other impurities with CO₂ from air or syngas or other gases, much less to the extent indicated in new claims 18-20. Furthermore, as the examples of the present application demonstrate, the Applicants found that a significant improvements in break through times are achievable with the presently claimed invention.

With respect to other dependent claims, Applicants will not burden the record with a further discussion thereof, but reserve the right to provide distinguishing comments at a later date if ever necessary.

Finally, if the Examiner is of the opinion that there is allowable subject matter in this case but claims must be amended in a different manner, it would be highly appreciated if the Examiner would be so kind as to telephone Counsel at the number indicated below. If Counsel is unavailable, please telephone Ms. Richardson at 703-812-5326 and she will be pleased to enlist the services of another attorney.

In view of the above remarks, favorable reconsideration is courteously requested of the claims in this Request for Continued Examination (RCE).

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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